

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**ACTUS, LLC,**

**Plaintiff,**

**v.**

**BANK OF AMERICA CORP.;  
BLAZE MOBILE, INC.;  
CAPTIAL ONE FINANCIAL CORP.;  
ENABLE HOLDINGS, INC.;  
GOOGLE, INC.;  
GREEN DOT CORP.;  
JAVIEN-DIGITAL-PAYMENT  
SOLUTIONS, INC.;  
JPMORGAN CHASE & CO.;  
MASTERCARD INTERNATIONAL, INC.;  
METAFINANCIAL GROUP, INC.;  
M&T BANK CORP.;  
OBOPAY, INC.;  
SONIC SOLUTIONS;  
VISA, INC.;  
VIVENDI, SA;  
WAL-MART STORES, INC.;  
THE WALT DISNEY CO.;  
THE WESTERN UNION CO.;  
WILDTANGENT, INC.;  
AGILECO,**

**Defendants,**

**CIVIL ACTION NO. 2:09-cv-102**

**JURY TRIAL DEMANDED**

**UNOPPOSED MOTION TO WITHDRAW AS COUNSEL**

COMES NOW, Douglas R. McSwane, Jr. and Potter Minton, a Professional Corporation, and file this Unopposed Motion to Withdraw as Counsel, and would show the Court as follows:

1. Douglas R. McSwane, Jr., attorney of record for Sonic Solutions and the law firm of Potter Minton P.C. (collectively, the “Movants”) desire to withdraw as counsel for Sonic Solutions, and to be relived of any further responsibility to act as counsel for Sonic Solutions in this action.

2. A copy of this Motion has been delivered to Plaintiff and the Motion is not opposed.

Considering the current status of the case, Movants submit that Sonic Solutions will not be unduly prejudiced by the withdrawal of counsel at this time.

WHEREFORE, PREMISES CONSIDERED, Douglas R. McSwane, Jr. and Potter Minton P.C. hereby request that the Court grant their Motion to Withdraw as Counsel, and for such other and further relief as may be appropriate under the circumstances.

Respectfully submitted,

/s/ Douglas R. McSwane, Jr.

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Douglas R. McSwane, Jr.  
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**ATTORNEYS FOR  
SONIC SOLUTIONS**

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who have consented to electronic service and are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 12<sup>th</sup> day of May, 2009. Any other counsel of record will be served by first class mail on this same date.

/s/ Douglas R. McSwane, Jr. \_\_\_\_\_  
Douglas R. McSwane, Jr.

**CERTIFICATE OF CONFERENCE**

Counsel for Defendant Sonic Solutions has conferred with counsel for Plaintiff regarding the substance of this motion. Plaintiff is NOT OPPOSED to the relief sought herein.

/s/ Douglas R. McSwane, Jr. \_\_\_\_\_  
Douglas R. McSwane, Jr.